

AMENDED IN ASSEMBLY APRIL 20, 2010

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## ASSEMBLY BILL

**No. 2702**

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**Introduced by Assembly Member Chesbro**

February 19, 2010

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An act to *amend Section 4646.4 of, and to add Section ~~4641.5 to~~ 4646.7 to*, the Welfare and Institutions Code, relating to developmental services.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2702, as amended, Chesbro. Developmental services: planning teams.

Existing law, the California Early Intervention Services Act, provides a statewide system of coordinated, comprehensive, family-centered, multidisciplinary, and interagency programs that are responsible for providing appropriate early intervention services and support to all eligible infants and toddlers, as defined, and their families and requires an eligible infant or toddler receiving services under the act to have an individualized family service plan (IFSP).

Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is responsible for providing various services and supports to individuals with developmental disabilities, and for ensuring the appropriateness and quality of those services and supports. Under existing law, the department contracts with regional centers to provide services and supports to persons with developmental disabilities. The services and supports to be provided to a regional center consumer are contained in

an individual program plan (IPP), developed in accordance with prescribed requirements.

Under existing law, development and monitoring of IFSPs and IPPs is done by planning teams, as defined, that include specified participants. *Existing law requires the final decision regarding a consumer's IPP or IFSP to be made pursuant to the relevant statute.*

This bill would, *instead*, require a regional center to ensure, at the time of the development, scheduled review, or modification of an IFSP or IPP, that the plan is made pursuant to the relevant statute.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     *SECTION 1. Section 4646.4 of the Welfare and Institutions*  
2     *Code is amended to read:*  
3     4646.4. (a) Effective September 1, 2008, regional centers shall  
4     ensure, at the time of development, scheduled review, or  
5     modification of a consumer's individual program plan developed  
6     pursuant to Sections 4646 and 4646.5, or of an individualized  
7     family service plan pursuant to Section 95020 of the Government  
8     Code, the establishment of an internal process. This internal process  
9     shall ensure adherence with federal and state law and regulation,  
10    and when purchasing services and supports, shall ensure all of the  
11    following:  
12    (1) Conformance with the regional center's purchase of service  
13    policies, as approved by the department pursuant to subdivision  
14    (d) of Section 4434.  
15    (2) Utilization of generic services and supports when  
16    appropriate.  
17    (3) Utilization of other services and sources of funding as  
18    contained in Section 4659.  
19    (4) Consideration of the family's responsibility for providing  
20    similar services and supports for a minor child without disabilities  
21    in identifying the consumer's service and support needs as provided  
22    in the least restrictive and most appropriate setting. In this  
23    determination, regional centers shall take into account the  
24    consumer's need for extraordinary care, services, supports and  
25    supervision, and the need for timely access to this care.

1     ~~(b) Final decisions regarding the consumer's individual program~~  
2     ~~plan shall be made pursuant to Section 4646.~~

3     ~~(c) Final decisions regarding the individual family support plan~~  
4     ~~shall be made pursuant to Section 95020 of the Government Code.~~

5     ~~(d)~~

6     (b) By no later than April 1, 2009, the department shall provide  
7     the fiscal and policy committees of the Legislature with a written  
8     update regarding the implementation of this section.

9     **SECTION 1.**

10    SEC. 2. Section ~~4641.5~~ 4646.7 is added to the Welfare and  
11    Institutions Code, to read:

12    ~~4641.5.~~

13    4646.7. (a) Notwithstanding any other provision of law, a  
14    regional center shall ensure, at the time of development, scheduled  
15    review, or modification of a consumer's individual program plan,  
16    that all decisions shall be made pursuant to the procedure required  
17    by Section 4646.

18    (b) Notwithstanding any other provision of law, a regional center  
19    shall ensure, at the time of development, scheduled review, or  
20    modification of a consumer's ~~individual family support~~  
21    *individualized family service* plan, that all decisions shall be made  
22    pursuant to the procedure required by Section 95020 of the  
23    Government Code.